

REMARKS

Favorable reconsideration of this patent application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1 has been rejected as being anticipated by Winn under 35 USC 102; Claims 2-4,7, and 20 have been rejected as being unpatentable over Winn in view of Szewczyk et al. under 35 USC 103; Claims 5 and 17 have been rejected as being unpatentable over Winn in view of Szewczyk et al. and Marchetti under 35 USC 103; Claim 6 has been rejected as being unpatentable over Winn in view of Szewczyk et al., Marchetti, and Ferguson under 35 USC 103; Claim 8 has been rejected as being unpat-entable over Winn in view of Baker et al. under 35 USC 103; Claim 16 has been rejected as being unpatentable over Winn in view of Marchetti and Baker et al. under 35 USC 103; Claims 18 and 21 have been rejected as being unpat-entable over Winn in view of Baker et al. under 35 USC 103; and Claim 19 has been rejected as being unpatentable over Winn in view of Marchetti, Baker et al., and Ferguson under

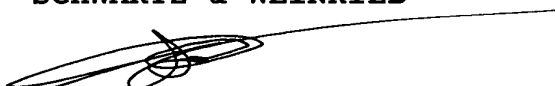
35 USC 103. Claims 1 and 9-16 have been cancelled, Claims 22 and 23 have been inserted, and consequently, Claims 2-8 and 17-23 are now active in this patent application.

The interview held with Examiner Chan is hereby acknowledged and sincerely appreciated as a means for expediting the prosecution of this patent application toward allowance. During the course of the interview, new Claim 22 was presented and fully discussed and it was agreed that such claim patentably defined over all of the art of record, particularly Winn, in that while Winn admitting states that various components of its system can be automatically adjusted, there is absolutely no disclosure within Winn which enables such automatic adjustments. Consequently, it was agreed that not only was the disclosure of Winn inadequate, but in addition, in view of such inadequacy, such reference could not be used to anticipate or render obvious the claimed system of the present invention as now embodied within newly presented Claim 22. In particular, newly presented Claim 22 now also recites means operatively connected to the means for determining the height dimension of each cigarette carton as well as to the means for adjusting the tax stamp application

means. Similar remarks hold true for newly presented Claim 23.

In light of the foregoing, it is submitted that this patent application is now in condition for allowance, and an early and favorable action is now anticipated and awaited.

Respectfully Submitted,
SCHWARTZ & WEINRIEB

A handwritten signature in dark ink, appearing to read 'Steven W. Weinrieb', is written over a horizontal line.

Steven W. Weinrieb
Attorney of Record
Registration No. 26,520
(703) 415-1250